



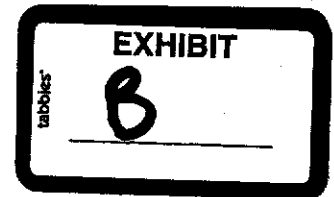
BOB RILEY
GOVERNOR

State of Alabama
Alabama Department of Corrections

301 S. Ripley Street
P. O. Box 301501
Montgomery, AL 36130



Donal Campbell
COMMISSIONER



December 17, 2004

ADMINISTRATIVE REGULATION
NUMBER 333

OPR: PROGRAMS SERVICES

RELIGIOUS PROGRAM SERVICES

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures for recognition of religious beliefs and practices of committed offenders.

II. POLICY

The ADOC has the policy to permit offenders the privilege/right to worship their declared faith and to identify activities and practices most commonly approved.

III. DEFINITION (S) AND ACRONYM (S)

- A. Approved free-world sponsor(s): An organization that has been approved through the Chaplain and the Warden to bring in ministry items for Chaplaincy ministries and religious programs and food for a specific religious celebration.
- B. PMOD: Prisoner Money On Deposit.
- C. Religious Activities Review Committee (RARC): This committee consists of the Deputy Commissioner of Programs (Chair Person), the Chaplaincy Program Coordinator, and four senior regional Chaplains.

IV. RESPONSIBILITIES

- A. The Departmental Chaplaincy Coordinator is responsible for:
 - 1. Serving as a liaison with outside offices and agencies for faith-based treatment initiatives.

2. Program planning and administration of the chaplaincy division.
 3. Developing departmental and community resources to meet the needs of inmates within the ADOC.
 4. Developing policy recommendations for executive level review.
- B. The Regional Senior Chaplains are responsible for:
1. Participating on the RARC to review, research, and vote on religious requests submitted by ADOC inmates.
 2. Providing advice, technical support, and serving as a resource, and liaison for Institutional Chaplains and volunteers within their region.
- C. The Chaplain is responsible for:
1. Publishing the institutional religious activities schedule.
 2. Overseeing all religious activities in the institution.
- D. The Warden is responsible for:
1. Approving all religious activities.
 2. Approving all free-world sponsor(s).

V. **PROCEDURES**

- A. The following religious celebrations, by religious groups, and dates are approved to be conducted within the ADOC institutions.

NOTE: There are no work proscriptions noted for the following religious celebrations.

1. **Buddhism**

Buddhist are only allowed solo study only with a picture of Buddha, prayer oil, incense and incense holder, prayer beads, books, and study materials; all of the religious items are used according to the approval of the Chaplain and Warden of the institution. These items will be stored in the Chaplain's office and be used at the assigned area for them.

- | | | |
|---|---|---|
| 2. | Catholics | Date |
| | Ash Wednesday | Date varies, confer with the Chaplain |
| | Good Friday | Date varies, confer with the Chaplain |
| | Easter | Date varies, confer with the Chaplain |
| | Christmas | December 25 |
| 3. | Five Percent Nation of Islam | Date |
| | Birth of Founder
(Clarence 13X-Allah) | February 22 |
| | Death of Founder | June 13 |
| | Monthly Parliament | Last Sunday of each month |
| <p>NOTE: Neither the Moorish Science Temple nor the Five Percent Nation of Islam are obligated to fast, their fasting is voluntary. If the Moorish Science Temple or Five Percenters request to fast, they may fast with either the Sunni Muslims or the Nation of Islam Muslims, but not with both groups. No individual or group will be allowed to participate in more than one fasting period a year.</p> | | |
| 4. | Jehovah's Witness | |
| | <p>The Lord's Evening Meal, a communion service celebrated on Nissan 14, usually in late March or April. Chaplains will confirm the date.</p> | |
| 5. | Judaism | Date |
| | Rosh Hashanah –New Year | A separate calendar is used and the Chaplain will confirm the dates with a Rabbi. |
| | Yom Kippur | Day of Atonement |
| | Sukkoth | Feast of Tabernacles |
| | Simchat Torah | Season of Our Rejoicing |
| | Pesach | Passover |
| | Shavout/Pentecost | Second Pilgrimage Festival |
| | Chanukah | Feast of Dedication |
| 6. | Moorish Science Temple of America (MSTA/Moors) | |
| | | Date |
| | Noble Drew Ali's Birthday | January 8 |
| | Moorish New Year | January 15 |

They believe that Friday is a Holy Day for all Muslims.

NOTE: Neither the Moorish Science Temple nor the Five Percent Nation of Islam are obligated to fast, their fasting is voluntary. If the Moorish Science Temple or Five Percenters request to fast, they may fast with either the Sunni Muslims or the Nation of Islam Muslims, but not with both groups. No individual or group will be allowed to participate in more than one fasting period a year.

- | | | |
|------------|--|---|
| 7. | Nation of Islam (NOI) | Date |
| | Observe Ramadan | Date varies, confer with Chaplain |
| | Savior's Day | February 26 |
| | Birthday of Elijah Muhammad | October 7 |
| | Day of Atonement | October 16 |
| 8. | Native American | Date |
| | Spring and Fall Equinoxes | Date varies, confer with the Chaplain |
| | American Indian Day | September 24 and 25 |
| | Winter and Summer Solstices | Date varies, confer with the Chaplain |
| | Green Corn Ceremony/
Harvest Moon Festival | Usually the third Sunday of October. Confer with the Chaplain |
| 9. | Protestants | Date |
| | Good Friday | Date varies, confer with the Chaplain |
| | Easter | Date varies, confer with the Chaplain |
| | Christmas | December 25 |
| 10. | Seventh-Day-Adventist | |
| | The Weekly Sabbath is celebrated from sundown Friday to sundown Saturday during Sabbath hours. | |
| 11. | Sunni Muslims | Date |
| | Ramadan begins | Date varies, confer with the Chaplain. |

Eid-ul-Fitr (Feast of breaking Fast) Date varies, confer with the Chaplain.

Eid-ul-Adha (Feast of Sacrifice) Date varies, confer with the Chaplain.

Friday Jum'ah services

NOTE 1: The Eid-ul-Adha (Feast of Sacrifice) is the second of only two religious festivals required for Sunni Muslims. It concludes with annual pilgrimage to Mecca and emphasizes prayer and the value of sacrifice. It falls on the tenth month of Dhul-Hijjah, approximately two-and-a-half months after "Eid-ul-Fitr," rotating clockwise around the year and occurring twelve days earlier annually, as do all dates. The Chaplain will notify appropriate personnel of these respective dates.

NOTE 2: Inmates who are eligible to participate and are approved to participate in the "Feast of Sacrifice" may be allowed access to the dinning hall after the rest of the population has eaten. Free-world food will not be allowed for this particular festival.

NOTE 3: Neither the Moorish Science Temple nor the Five Percent Nation of Islam is obligated to fast; their fasting is voluntary. If the Moorish Science Temple or Five Percent Nation of Islam requests to fast, they may fast with either the Sunni Muslims or the Nation of Islam Muslims, but not with both groups. No individual or group will be allowed to participate in more than one fasting period a year.

12. Wiccan	Date
Samhain	October 31
Candles: black and orange	
Stones: onyx or obsidian	
Carved gourd (pumpkin, turnip, or small gourd)/jack-o-lantern	
Ancestor's feast	
Yule (Winter Solstice)	December 21
Candles: red and green	
Stones: quartz crystal	
Foods: approved nuts	
Fragrant evergreens of rosemary and cedar, strings of dried rosebuds and cinnamon sticks to adorn the altar	
Imbolic	February 2
Candles: yellow and white	
Stones: Amethyst	
Ostara (Spring Equinox)	March 21
Candles: Pink (God) and Green (Goddess)	
Stones: Rose Quartz (God) and Moonstone (Goddess)	

Dandelions to decorate the altar
 Plastic egg (green) – represents the earth.
 Beltane April 30
 Candles: Red (God) and Green (Goddess)
 Stones: Heliotrope or Bloodstone
 Roses to decorate the altar, along with flowers and green
 Branches
 May basket: resembles an Easter basket and will contain
 roses
 May pole: No more than two feet long
 Four lengths of ribbon (2 red, 2 white)
 Litha (Summer/Midsummer) June 22 (varies)
 Candles: 1 blue and 1 green
 Stones: Tiger's Eye or Lapis Lazuli
 Lughnasadh August 2
 Candles: 1 orange and 1 green
 Stones: Citrine and Peridot
 Libation: Instant Oatmeal (to be eaten and given as an
 offering); one ear of corn (to be burned as offering) to be
 eaten and given as a part of
 the religious ceremony
 Mabon (Fall Equinox) September 21
 Candles: deep gold and violet
 Stones: Amethyst
 Herbs: cedar

B. Religious celebrations where food is required.

An "approved free-world sponsor(s)" will be responsible for submitting a dinner menu to the Chaplain at least 20 days prior to the date of the celebration. The free-world sponsor(s) must plan the dinner menu to accommodate the number of inmates attending the religious celebration. The Warden shall review and approve the dinner menu. If an approved free-world sponsor cannot be found, the inmates shall be fed from the regular dinner menu.

C. The following religious events and religious celebrations have been given permission to have food brought into the institution by free-world sponsor(s):

1. Kairos Events. Four times each year, usually once each quarter, and is open to all inmate groups.
2. Ramadhan Eid Feast. The Festival of Fast – Breaking at the conclusion of Ramadhan. This ceremony is for traditional Muslims, but other Muslim groups may participate (q.v. Moorish Science Temple and Nation of Islam).

3. Harvest Moon Festival. A period of "thanksgiving and celebration" for Native Americans, usually on the third Sunday of October.
4. Jewish Passover. This festival is the best known of all Jewish festivals, recalling the deliverance of the people of Israel from slaves in Egypt. It takes place on the first evening of the Passover.
5. Samhain. This celebration includes a major feast on October 31.
6. For smaller religious sects like the Muslims and the Native Americans, among others, where free-world sponsors may be limited, inmates may draw from their PMOD accounts for their "approved sponsors" to purchase food. If sponsors cannot be found to facilitate the religious celebration, the group will be fed from the regular menu and have access to the dining hall after the rest of the population has eaten.

D. Approved Religious Practices and Activities

NOTE: These practices are based on surveys of religious literature, consultations with experts in the field, current practices already being observed in the ADOC, and a review of Alabama court orders. Only one religious item of any kind is allowed (e.g. only one drum, one medallion, one religious cap).

1. Medallions: This practice was officially mandated by Victor D. Ayler-Bey v. Jones, court order in May of 1994. The "Moorish Science Temple will, during the Friday services, be allowed to wear medallions."
 - a. To be consistently applied, it is recommended that medallions be allowed at all times for religious groups.
 - b. All medallions will be worn on a breakable string only and should be no more than one and one-half inch in diameter.
 - c. Medallions may be constructed of metal, wood, plastic or leather, and inexpensive (costs no more than \$25.00).
 - d. The ADOC will permit inmates to wear colored medallions if they are made of wood, plastic or leather for use in religious practices.
 - e. The ADOC will require that such items may not be worn, shown, or displayed anywhere other than the designated place of worship.

- f. These items will be concealed at all times under the inmate's shirt or kept in the inmate's personal possession.
 - g. Outer display of religious medallions is permitted but only during services.
2. Fezzes, Koofies, and Yarmulke: The practice of wearing religious caps was mandated by Carl Hall v. Oliver court order in March 1982, and then reaffirmed in Victor D. Ayler-Bey v. Jones court order of May 1994. They may be allowed during religious services only and may be colored, to include the red fezz for the Moorish Science Temple.
 3. Prayer Oils: The practice of using prayer oils was mandated by the Victor D. Ayler-Bey v. Jones court order of May 1994, and should be allowed only during religious services. Personal possession is not allowed.
 4. Incense Burning: This practice was mandated by the Carl Hall v. Oliver court order in March 1982, and then reaffirmed in the Victor D. Ayler-Bey v. Jones court order of May 1994. This practice should be allowed.
 5. Prayer Beads: Muslim prayer beads are analogous to the Catholic rosary (an allowed practice) and are used to remember the names of Allah. Native American beadwork is important as a way of identifying with nature. It is recommended that these three groups be allowed to wear a small colored string of beads during religious services only, which will easily break away if pulled or grabbed, but only during religious services.
 6. Prayer Rugs: Muslims should be allowed to have a small prayer rug for their five daily prayers. Prayer rugs should be the approximate size of two feet by three feet. They may be colored.
 7. Religious Space: There is a right to collective assembly for approved religious groups. Court decisions emphasize, however, that the group's size does have a bearing on the amount and frequency of space provided e.g. a small group does not have the right to occupy an entire chapel).
 8. Prayer Shawl (Tilith): The size of the prayer shawl for Jewish Services should be approximately 18" wide by 70" long. It may be colored and is worn during religious services only.
 9. Religious literature, religious audios, DVDs, VCR tapes or videocassettes: Any religious literature, audio, DVD, VCR tape or videocassette that contain any material that is racially offensive or

causing a security problem or conflict will not be allowed. ADOC will determine if media materials poses a legitimate security threat to the security of the prison on a case-by-case basis. Chaplains will also ensure that there are no copyright/royalty infringements by following protocols established by the Chaplaincy Coordinator and the Legal Division.

10. Fire (for use in Native American Ceremonies): A small fire is only permitted for Native American Ceremonies at a designated place, in the area of the outside Sacred Ground. Fire will only be permitted at this appropriate place. The Chaplain and security personnel will ensure that the fire does not violate any fire safety codes, is small, and safe.
 - a. Fire is regarded as a sacred gift from the Creator, primarily because it warms, purifies, and illuminates, and without it mankind would perish.
 - b. In Native American belief, fire is important because it has the ability to carry prayers, calm the inner-self, and unite all around it to be one people.
11. Wine: One ounce of wine will be allowed to be brought into the institution by the priest to be used in the Eucharist celebration. Only the priest will partake of the wine. Inmates will be prohibited from the partaking of wine.
12. Islamic Turbah: Islamic inmates, who are Shiite, may use a small clay tablet for prayer purposes, called a turbah.
13. Native American/Dream Catchers: The Native American Dream Catcher is a small circular item, usually made of leather, with feathers hanging from the circle. It "catches impure thoughts that come to Native Americans in their sleep".
 - a. The Religious Activity Review Committee has approved this item, and has agreed that it can be hung from the inmate's bed during the hours he is asleep.
 - b. It should be maintained with the inmate's personal property at all other times.
14. Oils: The following types of oils have be approved by the Religious Activities Review Committee to be ordered for Islamic inmates:
 - a. African Musk

- b. Black Coconut
- c. Black Madina Musk
- d. Blue Nile
- e. China Musk
- f. Egyptian Musk
- g. Frankincense
- h. Myrrh
- i. Nubian Musk
- j. Sandalwood

E. Native American Beliefs and Practices

1. Medicine Bag The term "Medicine Bag" shall include any object attached to the bag and the string to which it is attached.
 - a. Native American inmates shall be allowed to have a personal medicine bag to be kept on their person or in their personal property box. When worn outside the ceremonial grounds, it will be worn underneath their prison clothing.
 - b. The ADOC shall permit the outside of the medicine bag to be adorned with colored beads as well as beads which are white or black. Beads greater in size than approximately eight millimeters in diameter (the size of a "pony" bead) are **not** permitted.
 - c. Inmates shall be allowed to affix items such as claws, beads, stag buttons, and pieces of antlers to their medicine bags with the following restrictions:
 - 1) Claws shall be no longer than one and one-half inches in length from tip to tip.
 - 2) Stag buttons shall be no longer than one and one-half inch in diameter.
 - 3) Arrowheads shall be no larger than one and one-half inch in length.

- 4) Antler pieces shall be no longer than one and one-half inch long and may not be sharp at the tip.
 - d. Antlers, claws, and arrowheads must be permanently affixed to the Native American inmate's medicine bag or contained within the medicine bag itself.
 - e. Medicine bags that do not exceed 4" X 4" in size are permitted.
 - f. If the medicine bag is strung from the inmate's neck, it is to be attached with a natural or neutral color leather string or shoelace. This string must be breakable for the inmate's safety in the event it is jerked or snatched from the neck.
 - g. All medicine bags shall be inspected in a proper manner by correctional offices when the inmate is either entering or exiting a correctional institution and at any time a correctional officer has reasonable cause to believe that it conceals contraband, and/or items that could be used as a weapon, are concealed in the medicine bag.
 - h. In the event that a return dispute of a specific medicine bag occurs, the inmate retains the right to petition the court for its return.
2. Contents of Medicine Bag: Native American inmates shall be allowed to keep inside their medicine bag all objects, which have a religious significance to the practitioner, including, but not limited to, small stones, sand or dirt, feathers, beads, except those items that are otherwise prohibited within this regulation. Upon reasonable cause and when requested by a correctional officer, a Native American inmate will display all objects in the medicine bag, allowing a visual inspection of the inside area/space/part/portion of the medicine bag.
 3. Vegetation: ADOC officials shall permit vegetation to be grown on the Native American ceremonial grounds.
 - a. The inmates shall be allowed to plant and maintain a tree of life, preferably cedar.
 - b. Native American inmates shall be allowed to grow and maintain on the ceremonial grounds:
 - 1) One variety of corn and up to eight stalks planted at least one foot apart.

- 2) One variety of bean and up to eight plants planted at least one foot apart.
 - 3) One variety of squash and up to eight plants planted at least three feet apart
- c. Flowers and gourds shall also be grown by the Native American inmates on the ceremonial grounds for ceremonial purposes.
- d. Vegetation, other than the tree of life or any existing trees of life, shall not be permitted to grow to a height greater than four and one-half feet and shall be planted in such a manner as to not obstruct the view of correctional officers, not within ten feet of any perimeter fence of the correctional institution, nor cause any type of fire hazard to any prison building or areas of the yard.
4. Access and Time Allowed on Ceremonial Grounds: Native American inmates shall be allowed access to the ceremonial grounds when the prison yard is open. Additionally, when the prison yard is not open, Native American inmates shall have access to the ceremonial grounds if the chapel is open or during "chapel call", but not after sunset. Factors that may be considered regarding additional access to the ceremonial grounds are the level of security of the institution, the number of Native American inmates who will use the ceremonial grounds, and the physical structure of the institution.
5. Size of Ceremonial Grounds: Native American inmates shall be allowed to have and maintain a ceremonial ground at each institution where Native American inmates are incarcerated. The size and location of the ceremonial grounds is to be determined by factors such as: the specific institution, the availability of space, the level of security, and the number of Native American inmates wanting to use said ceremonial grounds. All ceremonial grounds shall be a minimum of 20'X20'.
6. Location of Ceremonial Grounds: Any correctional institution, which has Native American inmates, shall have an area designated for use by them as ceremonial grounds. Factors for determining the exact location of the grounds are as follows: Judgment of ADOC officials for the most appropriate place for the ceremonial grounds, the security level of the institution, the normal operation of the institution, and flow of inmate traffic at the institution.
7. Medicine Wheel: Native American inmates shall be allowed to maintain a medicine wheel, comprised of stones, upon the ceremonial grounds. The size of the medicine wheel will be

dictated by the amount of space available for the ceremonial grounds at each institution and the number of Native American inmates that will use it.

8. Provisions of Storage Space: The ADOC shall permit the Native American groups at each institution to place a box on or adjacent to the ceremonial grounds in which religious items are kept. The box shall be secured by a combination lock. Native American inmates and the appropriate ADOC officials shall maintain the combination to this lock.
9. Feathers: The ADOC shall not prohibit Native American inmates from possessing feathers for religious and ceremonial use. Feathers must be kept in their personal property box or at their bed. The ADOC shall not prohibit the use of feathers on the ceremonial grounds or in the areas used for Native American activities. Practitioners shall be allowed to keep, in their possession at all times, personal prayer fans for use on the ceremonial grounds.
10. Moccasins: The ADOC shall not prohibit Native American inmates from wearing moccasins while on the ceremonial grounds. According to the ADOC discretion, moccasins may be kept with the inmate's personal possessions, on the ceremonial grounds, or with the Chaplain.
11. Prayer Pipes: Native American inmates shall be allowed to keep a personal prayer pipe. In addition to a personal prayer pipe, a congregant prayer pipe will also be kept by the designated "pipe keeper." The personal prayer pipe will only be used while on the ceremonial grounds. The ADOC will permit inmates, according to each inmate's personal preference, to keep the pipes with other personal religious items at the ceremonial grounds, an area specifically provided for Native American activities, or with the Chaplain. Nothing prohibits a correctional officer or ADOC official from visually inspecting a prayer pipe, when there is reasonable cause to inspect the pipe, in the manner set forth in this regulation for the inspection of medicine bags and prayer pipes.
12. Herbs: The ADOC shall permit Native American inmates to purchase the following herbs through the Chaplain's office: Sage, Sweetgrass, Cedar, Kinnikinnick, and Tobacco. All herbs, except tobacco, are to be maintained and kept by the Chaplain or in the Shift Commander's office.
13. Drums and Rattles: The ADOC shall permit Native American inmates to have drums and rattles for use during ceremonies held on the ceremonial grounds. These items will be maintained and kept either on the ceremonial grounds or with the Chaplain. These

items will not be used in a manner that disrupts the normal operation of the correctional institution.

14. Ceremonial Items: The ADOC shall permit inmates to possess colored ceremonial items, such as armbands, chokers, and headbands for use in religious practice. The ADOC prohibits wearing, showing, or outer display of such items anywhere except the ceremonial grounds or in the area specifically provided for Native American activities, and only then for the purpose of practicing Native American spirituality. The ADOC shall require these items to be kept on the ceremonial grounds.
15. Ceremonial Days: The ADOC shall permit inmates to celebrate the following sacred days: American Indian Days, the Green Corn Ceremony, the Harvest Moon Ceremony, the Winter and Summer Solstices, and the Spring and Fall Equinoxes. The ADOC shall require Native American inmates to notify the Chaplain or Warden/designee twenty days prior to the observance of sacred days. The ADOC may impose the same work proscriptions on Native American sacred days as work proscriptions observed by the Department for recognized sacred days of other religions.
16. Publications/Literature: The ADOC shall impose no proscriptions on the cultural and spiritual literature allowed to the Native American inmates and shall not require inmates to purchase literature in a particular month of the year. Cultural and spiritual literature shall be evaluated by the ADOC on a case-by-case basis to determine if it poses a legitimate threat to the security of the prison. This literature shall be obtained through the channels and procedures set forth in the applicable regulations compatible with this provision. Nothing in this regulation obligates the ADOC to grant rights to Native American inmates who adhere to other recognized religions.
17. Purchase of Items: The ADOC shall impose no proscriptions on ordering religious items by the Native American inmates, provided such items do not constitute a legitimate threat to security. Such items shall be obtained through the channels and procedures set forth in the applicable regulations compatible with this provision.
18. Training of Correctional Officers on Inspections: ADOC officials shall be taught the proper procedures for inspecting and viewing all Native American items. Specifically, the ADOC shall train its personnel not to touch the medicine bags or sacred pipes of the Native American inmates. Should an officer believe that it is necessary to inspect the contents of a Native American's medicine bag or sacred pipe, the officer shall bring the inmate to the Chaplain's office where the contents of the bag or the pipe can be

visually inspected. In the event that the Chaplain is not present, the inspection may be performed in the presence of the Shift Commander.

19. Retention of Religious Items on Transfer: The ADOC shall permit inmates to keep and retain their religious items during their transfer from one institution to another. When an inmate is transferred, he/she shall be given access to the ceremonial grounds to retrieve his/her religious items.
20. Sacred Item Box: The ADOC shall not prohibit Native American inmates from maintaining a sacred item box in their personal possession so long as the size of such box allows it to be kept within the inmate's locker box or personal possessions.
21. Right to Petition: The religious and ceremonial items, which were previously possessed by an inmate and do not violate the provisions set forth in this regulation or ADOC policy, shall be returned. In the event that a dispute arises as to the return of specific items of an inmate, he/she retains the right to petition the Court for his/her item.
22. Personal Prayer Book: The ADOC shall permit Native American inmates to possess personal prayer books and shall permit them to keep such books covered with a natural material such as leather or fir so long as the covers slip off easily for review and inspection by correctional personnel.
23. Talking Stick: The ADOC shall permit Native American inmates to maintain and store a talking stick no larger than two feet long and one inch in diameter on the ceremonial grounds of each prison.

F. Sweat Lodge Ceremony

1. Sweat Lodge Structure: The lodge is usually a dome-shaped structure made of willow or other saplings indigenous to the area. The saplings are lashed together with twine or bark. The structure is then covered with a tarpaulin, blankets, or canvas to make it light proof. The Warden, upon the recommendation of the Chaplain and spiritual advisor, shall determine the size of the sweat lodge. Generally the dome of the sweat lodge should be approximately 4 feet in height by 12 feet in diameter. The sweat lodge may be a prefabricated, temporary structure.
2. Sacred Altar: A small earthen mound is built as a sacred altar outside the lodge, using the dirt from the inside fire pit.

3. Outside Fire Pit: Beyond the sacred altar is a fire pit for heating rocks. The fire pit should not exceed an area 3 feet in diameter.
4. Inside Fire Pit: A pit dug inside the sweat lodge where hot rocks are placed with a shovel or rake for the production of steam. This inside fire pit should not exceed an area 3 feet in diameter. A container of water is required to sprinkle on the hot rocks to produce the steam and heat. A fire suppression system such as a hose, fire extinguisher, or extra buckets of water will be required in case the fire gets out of control.
5. Barrier Around Area: The Warden should designate an area to preserve the sacredness of the lodge, altar, and fire pit that should be roped off. In those institutions designated to conduct a sweat ceremony, the area for the sweat ceremony and the Native American ceremonial ground should be approximately 40 feet x 40 feet, space permitting.
6. Sacred (Ceremonial) Pipe: The sacred pipe is often used during the sweat lodge ceremony.
7. Sweat Schedule: Sweats will be conducted four times a year during the Spring and Fall equinoxes and the Winter and Summer solstices. The spiritual advisor and Chaplain will determine the respective time frames for the sweats, with the Warden's approval. The duration of the ceremony from the time of the fire to the actual sweat should not exceed 4 hours; 2 hours to heat the rocks and 2 hours for the sweat ceremony.
8. Institutional Counts:
 - a. During a formal count, and at times when a sweat lodge ceremony is in progress, the correctional officers should respectfully notify inmates of the count. The correctional officials will open the flap/door for the count. If the Warden or designee deems it appropriate, the inmates will be ordered to return to their assigned beds for a lock-down count.
 - b. Upon occasion, while a sweat lodge ceremony is in progress, it will be necessary for a correctional official to conduct an informal inmate count to ensure that all inmates under his/her supervision are accounted for. The correctional official should respectfully notify inmates of the count. The correctional official will open the flap/door for the count.

- c. Upon occasions, it is necessary to conduct an emergency inmate count while a sweat lodge ceremony is in progress. The Warden/designee will order an emergency count and all inmates will be returned to their assigned beds. The correctional official will open the flap/door and order the inmates to return to their assigned beds.
9. Clothing/Attire: Inmates participating in sweat ceremonies are required to wear appropriate outerwear, such as prison uniforms or T-shirt and shorts approved by the Warden.
10. Wood and Rocks for the fire: The designated institutions should collect these materials. The spiritual advisor with the Warden's approval shall determine the type of rocks used. The number of rocks used should not exceed twenty-eight in numbers and should be no greater than six inches in diameter.
11. Participation: Participating in the sweat lodge is limited to those inmates who declare Native American Spirituality, by their own choice. Without approval of the Warden, no more than five inmates may enter the sweat lodge at one time. The Warden shall allow a sufficient number of sweat ceremonies in connection with the Spring and Fall equinoxes and the Winter and Summer solstices so that each inmate meeting the participation requirements of this paragraph has the opportunity to participate in the ceremony.
12. Spiritual Advisor: A designated free-world representative will be the spiritual advisor for facilitating the sweat lodge ceremony. The spiritual advisor shall be someone with knowledge of the sweat ceremony and a sincere desire to assist the Native American inmates. The advisor will collaborate with the Warden and Chaplain on proper procedures for establishing/construction of the sweat lodge, and will be responsible for conducting or facilitating the sweat lodge ceremony. If a spiritual advisor is not available to conduct a sweat lodge ceremony, then the ceremony will be conducted by an inmate approved by the Warden who will consult with the Chaplain and/or spiritual advisor.
13. Sweat Lodge Institutions: The ADOC will designate four institutions to contain a Sweat Lodge Structure. These institutions will include (1) one maximum-security institution, (2) two medium-security institutions, and (1) one minimum-security institution. The provisions of the ceremony at these institutions shall be administered to meet the needs of the inmate population and at the discretion of the Commissioner/designee. The ADOC will follow the classification procedures to allow Native American

inmates who desire to participate in sweat ceremonies to transfer to a designated institution.

G. Parameters for the Practice of the Wiccan Religion

1. Place:

- a. The place will be outside and consist of a circle.
- b. The Warden, based on the Chaplain's recommendations, will designate the place.
- c. The only inmates allowed at that place will be identified as serious practitioners who have studied Wiccan belief and practices.

2. Ritual:

- a. There are eight recognized Sabbats.
- b. Each individual must make a written request to the Chaplain or Warden well in advance to set up the Ritual they desire to conduct.
- c. An inmate must make a written request to celebrate a holy day at least two weeks in advance.

3. Solo Study: Solo studies or group activities are based on religious needs, as determined by the Chaplain or Warden.

- a. Approved outside rituals and activities only.
- b. The only exception would be single or group studies inside by the approval of the Chaplain or Warden.
- c. Inside at bunks, prayer and literature activities that are reasonable, does not disturb anyone else, and is not a security violation, not encroaching on the orderly function of the dorm or cell area.

4. Religious Practices:

- a. Wiccans meet in sacred circles where rituals are held.
- b. The area to cast circle (reasonable) will be determined by the Warden and the Chaplain.
- c. Required daily observance:

- 1) No universal standard across traditions
- 2) Personal prayer such as:

- a) Greeting the day
- b) Prayer before meals
- c) Prayer to close the day

d. Required weekly observance

- 1) No universal standard
- 2) Approved space on yard
 - a) Go to the approved area
 - b) At the approved scheduled time
 - c) Box for religious items approved by the Warden
 - d) Allow a small tree in a pot 24 inches or less in height
- a) Approved inside space during inclement weather for study and review of tapes and literature only.

5. Religious Items:

a. Personal religious items

- 1) Book of shadows
- 2) A spiritual journal
- 3) This will include all rituals
- 4) All rituals will be screened and reviewed by the Chaplain or Warden/designee before used
- 5) A copy will be kept by the area review Chaplain

b. Divinations tools

- 1) Tarot cards
- 2) Runes or picture
- 3) Items to honor the elements of nature
 - a) Salt-earth (un-iodized only)
 - b) Feather-air
 - c) Approved herbs-air
 - d) Wood wand-fire
 - e) Water-water
 - f) Picture of divine unity-center
- 4) Religious medallion, usually a pentacle on a breakable string.

c. Congregate religious items:

- 1) Altar - cardboard box
- 2) Altar cloth
- 3) Bell - very small
- 4) Book of Shadows*
- 5) Candles – used outside (various colors may be used)
- 6) Chalice – plastic
- 7) Drums
- 8) Herbs (sage, cedar, lavender only)
- 9) Incenses
- 10) Pentacle*
- 11) Rattle
- 12) Tarot cards or picture runes on paper*
- 13) Salt (Un-iodized)
- 14) Dowel sticks to be used as a magic wand* (no larger than 12 inches in length and no thicker than a pencil and will be made from an all natural substance such as an apple blossom branch)
- 15) Libation dish for indoor worship
- 16) Scented anointing oils stored with the Chaplain (lavender, myrrh, frankincense only)
- 17) Feathers and feather fan
- 18) Abalone shell
- 19) Two icons (a small statue or picture of a goddess and god)
- 20) Small cauldron no bigger than one foot in height and diameter
- 21) Two non-glass dishes for salt and earth, at least three inches in diameter
- 22) Small scissors with rounded ends to cut paper and herbs (checked out from the Chaplain)
- 23) Clear barreled pens and paper*
- 24) Several semi-precious crystals, including quartz (stones are to be approved by the Warden)
- 25) Sacred items box approved by the Warden
- 26) Tea purchased from the canteen.
- 27) Talisman bag not larger than 4" x 4"*
- 28) Teas which can be purchased from the canteen

Note: The asterisk (*) symbol indicates that the inmate may have these items in their personal possession.

6. Requirements for membership:

- a. Decision to follow the Wiccan path

- b. Self-initiation
 - c. Group as determined need
 - d. Wiccan volunteer/sponsor
 - 1) Self-choice
 - 2) Acceptance by the group leadership and general
 - 3) Theology (Chaplains will have a permanent copy of the list or information on theology)
 - e. No universal dietary standard exist for Wicca (self-selection from the main cafeteria)
 - f. No universally recognized sacred writings exist for Wicca
7. Divination Tools:
- a. Tarot cards
 - b. Rune pictures
8. Organization structure:
- a. Outside
 - 1) Most are solitary practitioners
 - 2) The large groups based on need (No covens)
 - 3) The group leader will be called a facilitator, not high priest
 - 4) There will be no priestess
 - b. Inside prison – Inmate lay leaders are permitted for a group and identified as facilitators
 - c. Wiccan activities will include:
 - 1) White magic only
 - 2) NO black magic of any kind
9. Prohibited Sects, Practices, Materials, and Tools:
- a. The ritual knives
 - b. The broadsword
 - c. No robes

- d. No skyclad
- e. No drugs
- f. No alcohol
- g. No scourge

H. Guidelines for Considering Music

There is a large variety of religious music used in the various religious services of the ADOC. All music should be screened by the Chaplain and judged on content. Any content that violates the security standards of AR 303, Visitation and Correspondence Procedure, and AR 313, Chaplaincy Services and Religious Activities, or any other regulation of the ADOC will be automatic grounds for rejection of material. Music materials will be screened on a case-by-case basis.

I. Inmates Speaking in any Religious Service

Any inmate who speaks at any religious service, large or small, must have the prior approval of the Chaplain of that institution.

J. Religious Education Programs/Faith Based Honor Dorm Program:

1. Is defined as a specialized, systematic, rehabilitative, approach over and above the regular chaplaincy programs.
2. In the ADOC, these programs have treatment status under the directive of the chaplaincy programming.
3. Court ordered programs still have priority for the inmate.
4. These programs are based upon the inmate choosing this approach of his own free will and signing a contract for participation.
5. These programs are open for all to participate in.

VI. DISPOSITION

Any forms will be disposed of and retained according to the Departmental Records Disposition Authority.

VII. FORMS

There are no forms prescribed in this regulation.

VIII. SUPERCEDES

This regulation supercedes AR 333 dated April 21, 2004.

IX. PERFORMANCE

- A. Limbaugh v. Thompson, CV No. 93-D-1404-N, March 5, 1998.
- B. Victor D. Ayler-Bey v. Jones, May 1994.
- C. Carl Hall v. Oliver, March 1982.


Donal Campbell, Commissioner